

## **REMARKS/ARGUMENTS**

Claims 1 and 3-6 are pending in the instant application.

### **Amendments to the Claims**

As amended above, claim 1 recites the features previously recited in claim 2, which was dependent upon claim 1. Claim 2 is cancelled without disclaimer or prejudice. Claim 3, previously dependent upon claim 2, is amended to depend upon claim 1. No new matter has been added by these amendments.

### **Rejection under 35 U.S.C. § 112**

Claims 1-6 were rejected under 35 U.S.C. § 112, first paragraph, as allegedly non-enabled. In view of the agreement reached in a telephone interview held 12 December 2007, the substance of which is reflected in Applicant's Interview Summary filed 28 December 2007, Applicant respectfully submits that the rejection has been overcome, and kindly requests favorable reconsideration and withdrawal.

Claims 1-6 are rejected under 35 U.S.C. § 112, first paragraph as allegedly lacking written description support for the terms "radially overlap" and "outer machine part is deformed radially outward". Again referring to the agreement reached in the aforementioned interview and reflected in the summary thereof, Applicant respectfully submits that the rejection has been obviated, and kindly requests favorable reconsideration and withdrawal.

### **Rejection under 35 U.S.C. § 102**

Claim 1 is rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 5,787,933 to Russ, et al ("Russ"). Applicant respectfully traverses the rejection.

Claim 1 is amended above to include the features recited in claim 2. The Office Action does not allege that Russ teaches or suggests the features of claim 2. Moreover, it was agreed in the aforementioned interview that a consolidation of claims 1 and 2 would define over Russ. Therefore, Applicant respectfully submits that claim 1 as amended is patentably distinguished over Russ, and kindly requests favorable reconsideration and withdrawal of the rejection.

### **Rejection under 35 U.S.C. § 103**

Claim 1 is rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 6,267,712 to Franke ("Franke") or in the alternative, under 35 U.S.C. § 103(a) as obvious over Franke in view of U.S. Patent No. 6,942,558 to Wuensch ("Wuensch") or U.S. Patent No. 6,120,045 to Rosko ("Rosko"). Claims 3-6 are rejected under 35 U.S.C. § 103(a) as obvious over Franke in view of either Wuensch or Rosko. Applicant respectfully traverses the rejection.

Claim 1 as previously presented is distinguished over Franke at least because the rejection was premised upon disregarding a feature of claim 1, namely the compression connection (See, Applicant's Interview Summary). Moreover, Franke does not teach or suggest the use of plastic material strain as recited in claim 1. However, and without prejudice to the foregoing distinctions, the amendment to claim 1 obviates the rejection over Franke alone, because the Office Action does not allege that Franke teaches or suggests the subject matter of claim 2.

Turning to the proposed combination with Wuensch or Roasko, neither reference is analogous art to the present application or to Franke, making the proposed combination untenable. Moreover, even presuming that there were some apparent reason for one of ordinary skill in the art at the time the present invention was made to combine the references as proposed in the Office Action, their combination still does not teach or suggest the recited feature of the "outer machine part is deformed radially outward into the plastic range of material strain". To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974).

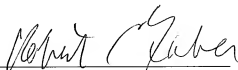
Claims 3-6 each depend, either directly or indirectly, from independent claim 1. These dependent claims are each separately patentable, but in the interest of brevity they are offered as patentable for at least the same reasons as their underlying independent base claim, the features of which are incorporated by reference. Therefore, Applicant respectfully submits that the rejection have been obviated, and kindly requests favorable reconsideration and withdrawal.

**Conclusion**

In light of the foregoing, Applicant respectfully submits that all claims are patentable, and kindly solicits and early and favorable Notice of Allowability.

Respectfully submitted,

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